

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILIP FRAME,

Defendant.

Case No. 17-cr-20208

Hon. Mark A. Goldsmith

MOTION TO DISCLOSE LOCATION OF DEFENDANT

NOW COMES STEPHEN T. RABAUT, counsel on behalf of the Defendant, PHILIP FRAME, and hereby moves that this Honorable Court order the United States Marshal Service to disclose the location of his client, Philip Frame, for reasons as follow:

1. The Defendant, Philip Frame, was sentenced by Judge John Corbett O'Meara on/or about December 11, 2017 to a term of 121 months of incarceration arising out of his guilty plea to the offense of Receipt of Child Pornography.
2. The Defendant has a pending matter in the Macomb County Circuit Court before the Honorable Edward Servitto, wherein he is awaiting sentencing.
3. For the past two weeks, the undersigned counsel has made every effort to try to locate Mr. Frame for the purpose of visiting him at whatever institution he is being housed, and in order to prepare for the state court sentencing hearing, as well as a discussion about a Notice of Appeal which Mr. Frame filed pertaining to the above entitled matter. Despite counsel's efforts, counsel has been unable to verify the location wherein Mr. Frame is being housed, and both Milan Detention Center, as well as the United States Marshal Service have refused to inform counsel of Mr. Frame's location, other than stating that Mr. Frame is in an undisclosed hospital, and that he will likely be at said hospital for approximately 4 weeks.

4. The undersigned counsel reached out to Mr. Frame's brother, Peter Frame, at which time Peter Frame informed the undersigned counsel that he did not know the location of Philip Frame, nor was he able to obtain said information from any authority, and that he has a Health Care Power of Attorney for Philip Frame.

5. Upon information and belief, Philip Frame has not been designated to an institution by the United States Bureau of Prisons. Accordingly, upon information and belief, the United States Marshal's Office would have jurisdiction over Philip Frame for the purpose of designating his current location of incarceration, and/or health care facility.

6. Pursuant to the Sixth Amendment to the United States Constitution, and Federal Rule of Criminal Procedure 44, Mr. Frame has the absolute right to consult with his undersigned counsel.

7. Pursuant to L.R. 7.1, the United States Attorney's Office does not concede the relief requested in this Motion.

WHEREFORE, the undersigned counsel hereby prays that this Honorable Court order the United States Marshal's Office to inform the undersigned counsel as to the current location where Mr. Philip Frame is being housed, or hospitalized.

Respectfully requested,

/s/ Stephen T. Rabaut
Stephen T. Rabaut (P 31143)
Attorney for Defendant
16931 19 Mile Rd., Ste. 100
Clinton Township, MI 48038
(586) 263-1600
srabautlaw@me.com

Dated: January 19, 2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-cr-20208

vs.

Hon. Mark A. Goldsmith

PHILIP FRAME,

Defendant.

_____ /

CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2018, I electronically filed a Motion to Disclose Location of Defendant with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record.

/s/ Cynthia Seelinger
Cynthia Seelinger
16931 19 Mile Rd., Ste. 100
Clinton Township, MI 48038
(586) 263-1600
srabautlaw@me.com

Dated: January 19, 2018